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CONSTITUTION OF THE ISLAMIC REPUBLIC OF IRAN



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CONSTITUTION OF THE ISLAMIC REPUBLIC OF IRAN

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[Text] In the name of God, the compassionate, the merciful.

We sent aforetime our apostles with clear signs
And sent down with them the Book and balance that
men may stand forth in justice. [quote from the Koran]

Introduction

The Constitution of the Islamic Republic of Iran explains the cultural, social, political, and economic institutions of the community of Iran based on Islamic principles and standards which are a reflection of the heartfelt desires of the Islamic community. The essence of the great Islamic Revolution of Iran and the process of the struggle of the Muslim people from the beginning to victory which was crystallized in the explicit and striking slogans of all classes of the people were characterized by this basic desire, and now our nation, with all its being, is in the vanguard of this great victory seeking to achieve this desire.

The special founding nature of this revolution vis-a-vis other movements in Iran in the last century, both the religious school [mektebi] and Islamic, is that the Muslim people of Iran, after experiencing an anti-despotic constitutional movement and an anticolonialist movement nationalizing the oil, have acquired valuable experience showing that the main cause and lack of success of these religious school movements was the absence of struggles.

Although in the recent movements, Islamic ideology and the leadership of the fighting clergy played the main and basic roles, nevertheless these movements quickly headed toward stagnation because their struggles departed from the noble principles of Islam. Now since the awakening of the people to the exalted and exemplary leadership of his great eminence, the Ayatollah Imam Khomeyni, the urgent need to follow the line of the noble philosophic and Islamic movement has been recognized. And this time the country's struggling clergy who were always in the front rank of the people's movement, as well as writers and intellectuals, have found new impetus by following his leadership. (The latest movement in Iran began in the Hegira lunar year of 1382 which corresponds to the Hegira solar year of 1341) [1341 is 1963 A.D.]

The Vanguard of the Revolution

The protest of the smashing of Imam Khomeyni in connection with the American plot, "The White Revolution," which was a ploy to stabilize the foundations of the colonialist government and strengthen Iran's political, cultural, and economic ties with world imperialism was the cause of the monolithic movement of the nation and afterward of the great and bloody Islamic revolution in June 1963 which in truth was the starting point of the blossoming of this glorious and widespread uprising which established and confirmed the centrality of the Imam Khomeyni as the Islamic leader. Despite his absence from Iran after the protest to the shameful law of capitulation (immunity of American citizens), the strong ties of the nation with the imam became perpetual, and the Muslim nation, especially the dedicated intellectuals and fighting clergy in banishment or prison were undergoing continuing torture and execution.

In these circumstances, the aware and responsible elements of society were engaging in soul-searching in the strongholds of the mosques, the seminaries of religious scholars and universities. And with the inspiration of the revolutionary school and the fruit of Islam, they began the relentless and fruitful struggle of raising the level of combative and religious school awareness and vigilance of the Muslim nation. The colonialist regime that crushed the Islamic movement with the ferocious attack on the Fezieh University, as well as all the vociferous clubs which started the revolution took the most murderous measures to quell the revolutionary rage of the people. And in these circumstances, firing squads, widespread tortures, and long imprisonments were the price our Muslim nation paid to show its resolve to continue the struggle. The blood of hundreds of young men and women flowed in the execution yards at dawn as they shouted "Allah Akbar." Or they were hit by bullets in the sidestreets or bazaars as they furthered the Islamic Revolution of Iran, distributed the persistent statements and messages of the imam on various occasions, and proclaimed the resolution of the Islamic nation ever wider and deeper.

Islamic Government

The plan of the Islamic government is based on religious authority which was introduced by Imam Khomeyni at the height of the strangulation and suffocation on the part of the colonialist regime and created the new characteristic motivation of the Muslim people and widened the noble path of the struggle of the school of Islam which, in turn, expedited the struggle of the dedicated Muslim fighters both inside and outside the country.

It is in this line that the movement continued until finally the strong dissatisfaction and rage of the people, due to daily increasing pressure and strangulation inside the country, caused the struggle to be taken up by the fighting clergy and students on the worldwide level that strongly shook the rule of the regime and forced it to reduce its pressure and strangulation. [paragraph continues]

It forced the regime, so to speak, to open the political field inside the country until it thought the degree of safety had been achieved to prevent the certain fall of the regime. However, the nation which was excited, aware, and resolute in the unwavering and undauntable leadership of the imam rose victoriously and unanimously on all sides.

The rage of the people: Publication of the letter insulting the holiness of the clergy, especially Imam Khomeyni on 7 January 1977 by the regime hastened this movement and caused the rage of the people to explode all across the country. In order to control the spreading of the people's rage the regime tried to suppress this protest uprising by shedding blood, but this only quickened the blood in the veins of the revolution and the tempo of the revolution in the coming weeks and the 40-day commemorations of martyrs and increased the fervor and solidarity of this movement all across the country. It also perpetuated the movement of the people in all the country's organizations by means of a general strike and participation in street demonstrations to bring down the colonialist regime as well as encouraging active participation and widespread solidarity of both men and women from all classes and religious and political groups in this struggle in a striking fashion. Women in particular joined actively in this great and widespread holy war. In particular, mothers holding children rushed into the squares in front of machineguns. They were a large and determining societal group in this struggle.

The Price the Nation Paid

After one year the outburst of the revolution and persistent struggle cost more than 60,000 martyrs, hundreds of wounded and injured, as well as billions of tomans in property damage to the champions of independence, freedom, and Islamic government. And this great movement which offered security, unity, and certainty stirred feelings and excitement which led to victory and success in smashing all the calculations, dealings, and arrangements of imperialism so that, in turn, the new high season of peoples' revolutions was ushered into the world.

The 10th and 11th of February 1979, the days when the shah's establishment fled and the domestic despotism and the foreign intermediaries based on it were defeated, were also the days when the glad tidings of the great final victory of the Islamic government, long sought by the Muslim people, came. As one man, the Iranian nation, with the inspiration and teaching of Islam and its leadership in matters of the Islamic republic, made their final and definite decision to create the new order of the Islamic republic and proclaimed it in Order 97/2.

At present, the Constitution of the Islamic Republic of Iran, which is the proclamation of all the political, social, cultural and economic ideals and relations of our society, should be the guide to solidify the bases of the Islamic government and the new framework and plan of the order of government to replace the ruins of the previous order of the idolators.

Style of Government in Islam

From the viewpoint of Islam, the government does not arise from the notion of classes and mediation among persons or groups but is a crystallization of political idealism based on religious community and concord which provide its organization--which through the process of ideological transformation turns its path toward the final goal (movement toward God). Our nation which during its revolutionary experience was cleansed of the mist and corrosion of the idolators and foreign ideological influences returned to the noble worldview of Islam. And now it is on that basis that it is building its model (equal) society with Islamic norms, principles, and mission as its constitution which reflects the beliefs of the movements and the conditions and values found in Islam.

In regard to the Islamic contents of the Iranian Revolution which was a movement for the victory of all oppressed people over the arrogant, the Constitution provides the basis for trying to perpetuate this revolution both at home and abroad. This is especially so with regard to expanding international relations with other Islamic movements and people to pave the way to form the world unity of followers (Your community is one community, and I am your lord whom you are to worship) and to perpetuating the struggle to save the deprived nations under tyranny throughout the world.

Regarding the character of this great movement, the Constitution guarantees help to abolish any kind of ideological, social, or economic despotism and provide the way to break the system of despotism by entrusting the fate of the people to their own hands. (He releases them from their heavy burdens and yokes which are on them.)

In creating the political positions and foundations for shaping society on the basis of interpretation of the Book, the pious men became responsible for ruling and administering the nation. (The earth will be inherited by my pious followers.) And the legislation that will make norms to administer society will be based on the Koran. Therefore, careful and serious views are urgently needed in the field of Islamic justice, piety, and obligations (just jurists), that is, since the purpose of sovereignty is to make people grow toward the divine order. Until the ground has been prepared and the talents have blossomed to glorify the dimensions of God's ways and have become known to the people (To emulate God's morality), this cannot be active participation and involvement by all social elements in the process of transforming society.

Regarding this subject, the Constitution provides for such participation by all circles in decisionmaking in determining the fate of all persons in society in order to perfect every person. The responsibility for growth and advancement belongs to the leadership which will have all the rights to govern the oppressed. (And we wish to be gracious to those who were being depressed in the land, to make them leaders in faith and heirs.)

The Responsibility of the Just Jurist

So as to assure the permanent security of the Constitution, the rights of clerical leadership is under all conditions to be the leadership recognized by the people. (The course of affairs is in the hands of those who know God and who are trustworthy in matters having to do with what He permits and forbids.)

The just jurist is equipped to insure that the various organizations do not deviate from their true Islamic duties.

Economy, a Means Not an End

In strengthening the economic structures, the basis is the people's need for growth and perfection, not anything else in the economic order such as concentration of wealth and profiteering. In materialistic schools the economy is its own goal and, for this reason, in cycles of growth, the economy is a factor of destruction, corruption, and decay. However, in Islam, the economy is a means intended to be a part of the work of improvement--and the means cannot become the end.

From this viewpoint, the Islamic economic program is to provide a suitable field for creativity of human diversity and, in this respect, provide equal opportunities to create work for all persons and to satisfy the need to perpetuate the movement to perfection according to Islamic rule.

Women in the Constitution

In creating Islamic social foundations, all the human forces that had up to now been in the service of foreign exploitation will be accorded their basic identity and human rights. And in this regard it is natural that women, due to the greater oppression that they have borne under the idolatrous order, will enjoy more rights.

The family unit is the foundation of society and the main institution for the growth and advancement of mankind. Agreement of faith and ideals in forming the family which is the basic organ in the national perfection and growth movement is the main foundation which provides the potential for achieving these goals. It is the principal duty of the Islamic government to regard women as the unifying factor of the family unit and its position. They are a factor in bringing the family out of the service of propagating consumerism and exploitation and renewing the vital and valuable duty of motherhood in raising educated human beings to take their part in the various fields of active life. As a result, motherhood is accepted as a most profound responsibility in the Muslim viewpoint and will, therefore, be accorded the highest value and generosity.

Army of the Book

In organizing and equipping the country's defense forces, attention should be paid to the fact that faith and the Book are the norms. [paragraph continues]

Therefore, in conformity with this goal, the Islamic Republican Army and the Revolution Guards Corps will be responsible not only for defending the borders, but also for the mission stated in the Book, of holy war in the way of God and fighting to expand the rule of God's law in the world. (Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into the hearts of the enemies of God and your enemies, and others besides.)

The Judiciary in the Constitution

The question of the judiciary with respect to guarding the people's rights in line with the Islamic movement for the purpose of preventing deviation within the Islamic community is a vital matter. In this regard, the creation of a judicial system based on Islamic justice and consisting of just judges who are acquainted with precise religious norms must be provided for. Because of the fundamental sensitivity and precision of this system in the Book, it is necessary that it be removed from any unsound relationships and connections. (And when you judge between man and man, judge with justice.)

Executive Power

Due to its special importance with regard to enforcing Islamic orders and regulations for the purpose of achieving just relations in ruling society and the urgency that this vital function will have in building the foundations leading to the final goal, the executive power must open the way for creation of an Islamic society. As a result, it must be surrounded by all kinds of rules and mores that will lead to this goal or that would be useful from the Islamic viewpoint. To this end, the bureaucratic system that was the basis of the idolatrous rule will be abolished in order for the executive system to be put into practice with ever more and faster efforts to implement administrative obligations.

Public Relations Media

Public relations media (radio and television) should be used for perfecting the Islamic Revolution and in serving to propagate Islamic culture. In this matter they should promote healthy exchanges of various ideas and strictly refrain from propagating and spreading harmful and antirevolutionary notions.

In light of the legal principles that regard freedom and human dignity as the main points of their aims, and which posit the road of development and perfection of the individual as the responsibility of all, it is necessary that the Islamic community elect wise and pious managers with firm views. They will serve actively to build the Islamic society with the hope that in building the ideal Islamic society they will be able to show the example of martyrdom and self-sacrifice to the people of the world. (Thus, we appointed you a central nation that you might be witnesses to the people.)

Representatives

The Assembly of Experts which is composed of representatives of the people, formulated the Constitution on the basis of studying a draft of the proposals of the government and all the suggestions made by various groups of people. The Constitution is composed of 12 chapters which contain 175 articles. It was completed on the eve of the 15th century of the advent of the great Prophet of God and the anniversary of the redemptive school of Islam, with the goals and motives described above and in the hope that this century will be the century of a world rule by the heretofore oppressed and the complete defeat of the arrogant.

Postscripts:

Several verses and quotations are cited below as examples of the documents used as basic principles of the Constitution.

Law

Right is not due to one unless he is governed by it, and it is not applied to anyone to whom it is not applicable.

Human Rights

They are of two types: Either your brothers in religion or your peers in morality, immune from wrongdoing and judges of weaknesses.

Helping the Oppressed

Be an enemy to the oppressor and a friend to the oppressed. (The Way of Eloquence)

Brotherly Unity

1. O ye people, we have created you from a male and a female, and have made you into peoples and tribes that ye might know one another.
2. The noblest of you in the sight of God is he who is most righteous. (The Surah of the Inner Apartments)
3. O ye people, since your Lord is one, and since your Father is one, there is no preference for Arab above alien, nor for alien above Arab, nor for black above red, nor for red above black, except in righteousness. (Sayings of the Prophet)

The Possibility of Public Pleading

And convoke a general council for them. A nation will never be blessed in which the right of the weak is not taken for him from the strong who is heedless. (The Way of Eloquence)

Liberties

Be not the slave of another, for God hath created thee free.

Do No Harm

There is no oppression and no oppressor in Islam. (Sayings of the Prophet)

Follow What Is Best

Then proclaim the news to My servants, those who hear the word and follow what is best in it. (The Surah of the Crowds, verse 18)

Trustworthiness and Justice

1. God commands you to repay what you hold in trust to those to whom it is due, and, when ye judge among people, to do so with justice. (The Surah of the Women, verse 58)
2. God commands justice and doing good. (The Surah of the Bee, verse 90)
3. That men may stand forth in justice. (The Surah of Iron, verse 25)
4. Stand forth for justice as witness for God, even against your own selves or your parents and your kin. (The Surah of the Women, verse 135)
5. Let not the hatred of others toward you cause you to do injustice. Be ye just, for justice is next to piety. (The Surah of the Table, verse 9)

Equality

1. In the law of equality there is life for you, O ye men of understanding. (The Surah of the Cow, verse 179)
2. Should anyone attack you, then attack ye him even as he has done unto you. (The Surah of the Cow, verse 194)

Take Away Difficulty, Obstacles, and Restraints

1. God intends facility for you, and does not want to send you difficulty. (The Surah of the Cow, verse 185)
2. Nor has He imposed any restraint on you in religion. (The Surah of the Pilgrimage, verse 78)
3. God does not wish to impose restraint on you. (The Surah of the Table, verse 6)
4. But if one is forced by necessity, without willful disobedience, not transgressing due limits, then he is guiltless. (The Surah of the Cow, verse 173)

Enjoining What Is Acceptable

1. The men and women who believe help one another; they enjoin whatever is acceptable and forbid whatever is abominable. (The Surah of Repentance, verse 71)
2. Let there arise from among you a people who will call for righteousness, who will enjoin whatever is acceptable and forbid whatever is abominable. (The Surah of Al 'Imran, verse 104)

The Special Qualities of Leadership

1. Is not He, then, who shows the way to truth more worthy to be followed than he who does not show the way unless it is shown to him? (The Surah of Jonah, verse 35)
2. God has chosen him above you and has imbued him abundantly with knowledge and strength. (The Surah of the Cow, verse 247)
3. God has given it to the imams of justice to appoint themselves by the weakness of the people. (The Way of Eloquence)
4. The courses of affairs are in the hands of the religious scholars, whose office it is to say what is permissible and what is forbidden. (The Gift of Intellects)
5. It is not fitting that the one who has power over the [word illegible] the blood, the spoils, the judgments, and the imamate of the Muslims be an avaricious man, for his desire would be in their wealth; nor an ignorant man, for he would lead them astray with his ignorance; nor a brutish man, for he would cut them to pieces with his brutishness; nor a man who fears nations, for he would favor one people above another; nor a man who is venal in judgment, for he would go forward and stop with rights, disregarding the divisions; nor a man who sets the Sunnah at nought, for he would bring the nation to destruction. (The Way of Eloquence)
6. Your labor is not a morsel for you to taste, but a trust for you to wear about your neck. (The Way of Eloquence)
7. In the sight of God, the most desirable of His worshipers is a just imam who has been guided and who guides, and therefore He has established a clear Sunnah and suppressed dark heresies. (The Way of Eloquence)

The Essence of Obedience

1. Those who transgress the limits of God are the oppressors. (The Surah of the Cow)
2. There is no obedience in a creature who disobeys his Creator.

The Army a Source of Strength

1. Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into the hearts of the enemies of God, your own enemies, and others whom ye may not know. (The Surah of the Spoils of War, verse 60)
2. For the soldiers, by the grace of God, are the protectors of the people, the pride of the rulers, the glory of the faith, and the ways to safety, and the people cannot be established except with them. (The Way of Eloquence)

Consultation

1. Consult them in the matter. (The Surah of the Family of 'Imran, verse 3)
2. Their affair being consultation among themselves. (The Surah of Consultation, verse 38)
3. He who keeps stubbornly to his own opinion perishes, but he who consults others shares in their wisdom. (The Way of Eloquence)

Free Instruction

Do not take a fee for instruction. (Imam Sadiq')

Property

1. Do not give to foolish men the property which God has made to be a means of support. (The Surah of the Women, verse 5)
2. O ye who believe! Eat not up your property among yourselves in vanities, but let there be trade among you by mutual consent. (The Surah of the Women, verse 29)

Common Property

1. It is He who hath created for you all things that are on earth. (The Surah of the Cow, verse 29)
2. O ye people! Eat of what is on earth that which is lawful and good. (The Surah of Repentance, verse 71)
3. The earth is God's, to give as a heritage to such of His servants as He pleaseth. (The Surah of the Heights, verse 128)
4. They ask thee about the spoils of war. Say, "The spoils are for God and His Prophet." (The Surah of the Spoils of War, verse 1)
5. The people are sharers in three things: water, fire, and grass.

6. Thee and the monopolization of what is for all of the people equally.
(The Way of Eloquence)

7. This property is neither for me nor for thee, but is a spoil for the Muslims and the clamor of their swords. Hadst thou partaken in their warfare, the same fortune would have been for thee, but since thou hast not, the fruits of their efforts shall be for no mouths but theirs.

The Behavior of Non-Muslims

God does not forbid you to vindicate and to deal justly with those who have not fought against you in religion or driven you out of your homes, for He loves those who deal justly. (The Surah of the Woman To Be Examined, verse 8)

In the name of God, the clement and the merciful.

Chapter I

General Principles

Principle 1:

The Government of Iran is an Islamic Republic, endorsed by the Iranian nation by an affirmative vote of 98.2 percent of the majority of eligible voters, in a referendum held on the 10th and 11th of Farvardin, of the year 1358 Hijri Shamsi [solar year], coinciding with 1st and 2d of Jamadi-ol-Avval, of the year 1399 Hijri Qamari [lunar year] based on its ancient belief in the administration of truth and justice of the Koran, following its victorious Islamic Revolution, under the leadership of the high exalted religious authority, the Great Ayatollah Imam Khomeyni.

Principle 2:

The Islamic Republic is a system based on the belief in:

1. One and only God (There is no God but God); appropriation to Him the faculty to rule and implement the divine law, and the necessity to obey His orders.
2. Divine inspiration and its fundamental role in the interpretation of laws.
3. Resurrection and its constructive role in the evolutionary course leading mankind toward God.
4. God's justice in creation and divine laws.
5. Religious leadership and continuous guidance, and its fundamental role in the permanency of Islam's Revolution.

6. Compassion and the high value of human beings, and freedom coupled with a sense of responsibility before God.

These aims are to be achieved by:

- a) Efforts exerted on a continuous basis by clerical jurists meeting all requirements, based on the Book and traditions of the impeccables [the Prophet, his daughter, and the 12 imams], may God's blessings be upon them.
- b) Utilization of human advanced scientific and technical means and experiences, and efforts to improve them.
- c) Negation of all kinds of oppression, tolerance of oppression, dominance and acceptance of dominance.

These concepts will secure justice, as well as political, economic, social and cultural independence, and national interdependence.

Principle 3:

The Islamic Republican Government of Iran will be charged with the duty of putting into effect, with all existing possibilities, the following means and methods, in order to attain the goals mentioned in Principle 2:

1. Creation of a favorable environment for the development of moral virtues, based on faith, piety, and waging struggle against all kinds and symptoms of corruption and vice.
2. Raising the level of the general knowledge of the public in all fields, by a correct use of the press, the mass media and other means.
3. Free education and physical training at all levels, and creation of facilities for the generalization of higher education.
4. Strengthening the spirit and zeal for research and initiative power in all fields, i.e., scientific, technical, cultural and Islamic, by means of establishing research centers, and encouraging researchers.
5. Complete expulsion of colonialism, and prevention of foreign influence.
6. Elimination of all kinds of despotism, autocracy and monopolism.
7. Securing and safeguarding of political and social freedoms within the limits of law.
8. Participation of all the people in determining their political, economic, social and cultural destiny.
9. Elimination of inadmissible discriminations, and creation of fair possibilities for all, in all financial and moral fields and affairs.
10. Creation of a correct administrative system, and elimination of unnecessary organizations.

11. Complete reinforcement of the foundations of national defense by means of public military training, for the preservation and safeguarding of the independence, territorial integrity and Islamic system of the country.
12. Laying the groundwork for a sound and just economy, based on Islamic regulations, aimed at creating comfort, elimination of poverty and all kinds of deprivations dealing with food, housing, jobs, hygiene, and generalization of social insurances.
13. Securing of self-sufficiency in scientific, technical, industrial, agricultural and military affairs, and the like.
14. Securing of the rights of the people on an all-out basis, men and women alike; creation of judicial security for all based on justice, and equality of all before the law.
15. Expansion and strengthening of Islamic brotherhood and public cooperation among all of the people.
16. Adoption of a foreign policy based on Islamic standards and criteria; brotherly commitment to all Muslims, and unsparing support to the underprivileged and oppressed peoples of the world.

Principle 4:

All civil, penal, financial, economic, administrative, cultural, military, political, etc., laws and regulations should be based on Islamic rules and standards. This principle will absolutely or in general be dominant over all of the principles of the Constitution, and other laws and regulations as well, and any determination in this connection will be made by the religious jurists of the Council of Guardians.

Principle 5:

During the absence of the Glorious Lord of the Age [the missing 12th imam of the Shi'ite sect], may God grant him relief, he will be represented in the Islamic Republic of Iran as religious leader and imam of the people by an honest, virtuous, well-informed, courageous, efficient administrator and religious jurist, enjoying the confidence of the majority of the people as a leader. Should there be no jurist endowed with such qualifications, enjoying the confidence of the majority of the people, his role will be undertaken by a leader or council of leaders, consisting of religious jurists meeting the requirements mentioned above, according to Principle 107.

Principle 6:

The affairs of the country should be administered in the Islamic Republic of Iran by relying upon public opinion, expressed through elections, i.e. election of the president of the republic, deputies of the National Assembly, members of councils, and the like, or by plebiscite, anticipated for cases specified in other principles of this Constitution.

Principle 7:

According to the instructions of the holy Koran, consultations should be held in all affairs, and therefore the National Assembly, the Provincial Council, urban, city, local, rural councils and the like are considered to be organs where decisions should be made for the administration of the affairs of the country.

The occasions, formation, limits of rights and powers, as well as the functions of the councils will be specified and defined by this law and other laws emanating from it.

Principle 8:

In the Islamic Republic of Iran an invitation for accomplishing good deeds, a positive command and prohibition of doing evil are concepts to be adopted by all the people, and is in the meantime a mutual undertaking to be observed and implemented by the government toward the people, and by the people toward the government. Conditions, limits and quality will be specified by law.

Principle 9:

In the Islamic Republic of Iran, freedom, independence, unity and the territorial integrity of the country are inseparable from each other and their preservation and safeguarding is the duty of the government and the people. No individual, or group, or authority has the right to harm even slightly the political, cultural, economic, military and territorial independence of Iran by exploiting the name of freedom, and no authority will have the right to eliminate legal freedoms, even by enacting rules and regulations on the excuse of preserving the independence and territorial integrity of the country.

Principle 10:

The family being the fundamental unit of the Islamic society, all regulations, rules and planning for its comfort and preservation of its holiness and the stability of family relationships should be based on Islamic standards and moral concepts.

Principle 11:

According to the Koran, all Muslims are of the same and one single religious community, and the Islamic Republican Government of Iran is bound to base its general policies on the coalition and unity of the Islamic nations, and it should exert continuous efforts in order to realize the political, economic and cultural unity of the Islamic world.

Principle 12:

The Official religion of Iran is Islam, and the sect followed is Twelver Shi'ism (Ithna 'Ashari). This principle is never subject to change.
[paragraph continues]

Other Islamic denominations also, such as Hanafi, Shafi'i, Maliki, and Zaydi, enjoy complete respect. The followers of these sects are free to perform their religious rites, based on their religious jurisprudence. They are also officially recognized as such in the courts, in connection with lawsuits dealing with religious teachings and personal affairs (such as marriage, divorce, hereditary disputes, wills, etc). In any area where the majority of the population should consist of the followers of any of these sects, local regulations within the power possessed by the councils will be based on the regulations of that denomination.

Principle 13:

The Iranian Zoroastrians, Jews and Christians are the only recognized minorities, who, within the limits of the law, are free to perform their religious rites and ceremonies, and will act in personal matters and religious teachings in accordance with their religious regulations.

Principle 14:

According to the Koran, the Islamic Republican Government of Iran and the Muslims as well are bound to treat non-Muslims with good moral conduct and Islamic justice, and to observe their fundamental rights. This principle will be applicable to those who do not get involved in political activities and in conspiracies hatched against the Islamic Republic of Iran.

Chapter II

The Official Language, Script, Calendar and Flag of the Country

Principle 15:

The official and common language and script of the people of Iran is Persian [Farsi]. Official documents, correspondence and statements, as well as textbooks, must be in this language and script. However, the use of local and nationality languages in their press and mass media is allowed. The teaching of their literature in their schools, along with Persian language instructions is also permitted.

Principle 16:

The language of the Koran and Islamic studies and instructions are in Arabic, and Arabic totally permeates Persian literature. Therefore, Arabic must be taught in all classes and fields of study beginning with the completion of elementary school to the conclusion of secondary school.

Principle 17:

The origin of the official calendar of the country is the journey [Hijran] of the Prophet of Islam (May God's Greetings and Blessings Be Upon Him). Hijri solar and Hijri lunar calendars are both recognized. However, the government bases its operations on the Hijri solar calendar. The official weekly day of rest is Friday.

Principle 18: The official flag of Iran is comprised of green, white and red colors with the specific insignia of the Islamic Republic and the words "God Is Great."

Chapter III

National Rights

Principle 19:

The people of Iran regardless of ethnic and tribal origin enjoy equal rights. Color, race, language and the like will not be cause for privilege.

Principle 20:

All citizens of the nation, whether men or women, are equally protected by the law. They also enjoy human, political, economic and cultural rights according to Islamic standards.

Principle 21:

The government is responsible for guaranteeing the rights of women in all areas according to Islamic standards and must provide the following:

1. The creation of favorable environments for personal growth and restoring her material and intellectual rights.
2. Protection of mothers, especially during pregnancy and child rearing period, as well as the protection of orphans.
3. The formation of qualified courts for the protection of relatives and preservation of the family unit.
4. Creation of a special insurance for widows, old women and destitute women.
5. Granting of guardianship to worthy mothers, to avoid envy, and in the absence of a lawful guardian.

Principle 22:

Reputation, life, property, rights, dwelling and vocation of individuals are immune from trespassing except in circumstances prescribed by law.

Principle 23:

Interrogation of people for their beliefs is forbidden. No one can be attacked or reprimanded for holding certain beliefs.

Principle 24:

Publications and the press are free in the expression of topics unless it is contrary to Islamic precepts or public rights. The law will provide the details.

Principle 25:

Inspection and failing to deliver letters, retention and divulging telephone conversations, revealing telegraph and telex messages, censoring, refusing to communicate messages, tapping and investigating is forbidden, unless ordered by law.

Principle 26:

The formation of parties, groups, and political and professional associations, as well as Islamic or recognized minority religious associations is free, provided they do not harm the principles of freedom, sovereignty, national unity, Islamic standards and the foundation of the Islamic Republic. No one may be prevented from joining these groups or be forced to join any one of them.

Principle 27:

Unarmed assemblies and marches are permitted provided they do not violate the precepts of Islam.

Principle 28:

Every person has the right to choose the profession he wishes, provided it is not in contravention of Islam, public interest and the rights of others.

It is the responsibility of the government to consider the needs of the society for diversified occupations. It must create, for all individuals, the possibility of employment and equal opportunities for obtaining it.

Principle 29:

The right to enjoy social security benefits, such as those for retirement, unemployment, old age, disability, lack of support, being stranded, as well as circumstances which create the need for medical services, treatment and professional care, through insurance, etc. is a public right.

The government must, according to law, utilize national revenues and income obtained from individual contributions and provide the aforementioned services and financial support for every individual in the country.

Principle 30:

It is the responsibility of the government to provide free educational and training means for all through high school and also develop means within acceptable limits for free higher education.

Principle 31:

A suitable dwelling, according to need, is the right of every Iranian person and family. The government is responsible for providing this, on a priority basis, to those who need it the most, in particular the peasants and agricultural workers.

Principle 32:

No one may be arrested except in accordance with and by the manner prescribed by law. Once an arrest has been made, the nature of the accusation and the reasons for the actions taken must be immediately communicated and explained to the accused in writing. Within a maximum of 24 hours, preliminary documents must be referred to the appropriate legal authorities. Prompt steps must be taken for trial procedures, whereupon the accused will be punished according to the law.

Principle 33:

No one may be banished from his dwelling, deprived of residing in his chosen place or forced to reside in a particular location, unless prescribed by law.

Principle 34:

Every individual has the right of recourse to competent courts in order to seek justice. All people of the nation have the right of access to such courts and no one may be prevented from referring to a court to which he is legally entitled.

Principle 35:

In all courts, both parties have the right to select their own lawyers and if they are not able to do so, steps must be taken to provide them with a lawyer.

Principle 36:

Sentencing for punishment and the execution of such a sentence must be carried out solely by competent courts and in accordance with the law.

Principle 37:

An individual is considered innocent, and no one is presumed guilty according to the law, unless his guilt has been proved by a competent court.

Principle 38:

Any type of torture to obtain confession or acquire information is forbidden. Forcing people to testify, confess or take an oath is not permitted and such testimony, confession and taking an oath is null and void. The punishment for violating this principle will be prescribed by law.

Principle 39:

Violating the dignity and honor of a person who has been apprehended, detained, arrested or exiled in accordance with the law is forbidden under any circumstances and is liable to punishment.

Principle 40:

No one may utilize his own rights as a means of putting pressure on others or encroaching upon public interest.

Principle 41:

Holding Iranian citizenship is the fundamental right of every Iranian. The government may not deprive any Iranian of his citizenship, unless requested by the individual or if the person becomes the citizen of another country.

Principle 42:

Foreign nationals may become Iranian citizens according to the limitations of the law. The citizenship of such individuals may be revoked only when government grants them citizenship or if they themselves request it.

Chapter IV

The Economy and Financial Affairs

Principle 43:

The economy of the Islamic Republic of Iran is based on the following regulations, in order to achieve independence in national economy, uproot poverty and impoverishment and fulfill growing human needs, while preserving its independence:

1. Securing basic needs: housing, nourishment, clothing, hygiene, medical care, education and vocational training and establishing a suitable environment for all to start a family.
2. Securing opportunities and possibilities for employment for all in order to achieve full employment, offering employment opportunities to able workers who are unemployed, making use of the cooperative system in providing interest-free loans and other legitimate means which will not result in the concentration and circulation of wealth in the possession of specific individuals or groups and which will refrain from turning the government into a major absolute employer. These measures must be accomplished while considering the dominant needs of the developing national economy in every stage of its growth.

3. Organizing the economic structure of the country in such a way that the procedures, tasks and work hours will be such that every individual, in addition to exerting professional effort, will have the opportunity and enough energy for intellectual, political and social self-improvement and an active participation in the leadership of the country as well as to improve skills and demonstrate creativity.
4. Regard for independent job selection, so as to refrain from forcing individuals into a specific position and prevent profiteering from the labor of others.
5. Forbidding the harming of others, as well as monopolizing, speculation and usury and other futile and unlawful dealings.
6. Forbidding extravagance and dissipation of all forms in all matters pertaining to the economy, whether in spending, investment, production, distribution, or services.
7. Learning from scientific, technical and educational skills of experts to improve and develop the economy of the country.
8. Preventing foreign economic domination of our country's economy.
9. Emphasizing increased agricultural, animal and industrial production in order to secure public needs and bring the country to a self-sufficient state and rid it of dependency.

Principle 44:

The economic system of the Islamic Republic of Iran consists of three sectors: governmental, cooperative and private, with systematic and sound planning.

The governmental sector consists of all major industries, foreign trade, major mines, banking, insurance, power production, dams and major water-carrying networks, radio and television, postal, telegraph and telephone system, air, sea, land and railroad transportation and others similar to the above, which in the form of public ownership are at the disposal of the government.

The cooperative sector establishes and assigns the cooperative companies and organizations which have been created in cities and villages in accordance with Islamic regulations.

The private sector consists of those portions of agriculture, animal husbandry, industry, trade and services which supplement the activities of the governmental and cooperative sectors.

Ownership in these three sectors shall be protected by the laws of the Islamic Republic as long as this ownership is in conformance with the other essentials of this chapter, does not depart from Islamic precepts, promotes economic growth and development for the country and does not harm the society.

The details regarding the standards, procedures and conditions for all three of these sectors will be determined by law.

Principle 45:

Public property such as wastelands and abandoned lands, mines, seas, lakes, rivers, and other public waterways, mountains, valleys, forests, swamps, natural groves, pastures without boundaries,, inherited land with no heir, unowned property, and public property which has been confiscated from usurpers, belongs to the Islamic government and shall be put to public use. The details and method of use for each one of these regulations will be determined by law.

Principle 46:

Everyone shall enjoy the benefits of his legitimate business and labor and no one may, because he is the owner [of a particular type of business], deprive others of the opportunity to do the same job.

Principle 47:

Personal property obtained through legitimate means is honored. The details for this will be determined by law.

Principle 48:

There should be no discrimination with regard to benefits to be gained from the use of natural resources, the utilization of public funds on the provincial level, and the distribution of economic activities among the provinces and various regions of the country. This is so that every region will have within its reach capital and opportunity to fulfill its needs and develop its skills.

Principle 49:

The government is responsible, after investigation, verification and establishing proof in accordance with the law for confiscating wealth obtained from robberies, extortion, bribery, embezzlement, theft, gambling, from activities that take advantage of pious property, contract work and governmental deals, from the sale of wastelands and those belonging to others, and from houses of ill-repute and other illegal places. It should be returned to its lawful owner, and if there is no lawful owner available, it should be assigned to public use.

Principle 50:

Protecting the environment in which the present generation lives and in which future generations shall live and prosper is considered a public responsibility in the Islamic Republic. [paragraph continues]

Therefore industrial activities, and other activities which may pollute the environment or ruin it to the point where it cannot be restored, are forbidden.

Principle 51:

No taxes shall be levied except in accordance with the law. The law will determine the instances when tax exemptions and reductions may occur.

Principle 52:

The annual national budget shall be prepared by the government as determined by law and submitted to the National Consultative Assembly for review and approval. Any alteration in the figures of the budget shall also be subject to the procedures set by law.

Principle 53:

All revenues received by the government shall be transferred into the accounts of the treasury and all disbursements shall be within the approved allocations in accordance with the law.

Principle 54:

The National Court of Accounts shall be directly under the National Consultative Assembly and its organizations and operations in Tehran and provincial centers shall be determined by law.

Principle 55:

The Court of Accounts shall inspect and audit all the accounts of ministries, government organizations and companies as well as other organizations which in one way or another benefit from the country's general budget, as stipulated by law. It shall insure and see to it that no expenditure shall exceed the approved allocation and that every allocation is used for the purpose specified. The court shall collect the various accounts, documents, and papers, according to law, and shall submit to the National Consultative Assembly a budget settlement for each year, together with its own views. This report must be made available to the public.

Chapter V

The Right of National Sovereignty and the Powers Pertaining Thereunto

Principle 56:

The absolute ruler of the world and humanity is God and He alone has determined the social destiny of human beings. No one shall take away this God-given right from another person or make use of it to serve his personal or group interests. The nation will use this God-given right to act according to the manner determined by the following principles.

Principle 57:

The powers arising from the right of national sovereignty are: the legislative power, the judicial power, and the executive power. These powers shall always remain independent of each other, and, according to this law, the link between them will be provided by the president.

Principle 58:

The National Consultative Assembly is vested with authority to exercise power on behalf of the legislative power. The assembly will be composed of the elected representatives of the people, and its resolutions, after passing through certain phases to be specified in subsequent principles, will be communicated to the executive and judicial branches for implementation.

Principle 59:

In dealing with very essential issues of an economic, political, social and cultural nature, legislative power might be exercised by holding a referendum and referring the issue directly to the people for a judgment. The request for a referendum should be approved by a vote comprising two-thirds of the representatives of the assembly.

Principle 60:

The duties of the executive branch, with the exception of the tasks delegated directly by this law to the leadership, will be performed by and through the president, the prime minister and the ministers.

Principle 61:

The powers of the judicial branch will be exercised by the courts of the Justice Department, which are to be convened based on Islamic rules and standards, and will be engaged in solving and passing judgment on lawsuits, preserving the rights of the public, expanding and implementing justice and setting up and establishing divine limits.

Chapter VI

Legislative Power

Part 1: National Consultative Assembly

Principle 62:

The National Consultative Assembly will be composed of the people's representatives, who are to be elected by a direct and secret ballot. Conditions affecting eligibility of voters and candidates, as well as voting procedures will be determined and specified by a separate law.

Principle 63:

The term for the membership of the National Consultative Assembly is 4 years. The elections of each term should be held before the expiration of the previous term, so that the country may never remain without an assembly at any time.

Principle 64:

The number of the members of the National Consultative Assembly is 270, and after every 10 years, should an increase be registered in the population of the country, one representative will be added to the number of representatives of each constituency for every increase in population of 150,000 people. The Zoroastrians and Jews will each have one representative, the Assyrian and Chaldean Christians will together have one representative, and the Armenian Christians of the south and the north will each elect one representative. Should the size of the population of each of the minorities show an increase after 10 years, they will have an additional representative for each additional 150,000 persons. Regulations for holding elections will be determined and compiled by law.

Principle 65:

After elections are held, the sessions of the National Consultative Assembly will be considered legal by the presence of two-thirds of the total number of the representatives at the assembly, and the drafts and bills presented will be ratified in accordance with the internal regulations approved by the assembly, with the exception of cases for which a special quorum is specified by the Constitution. In order to have the internal regulations approved, it would be necessary to have the consent of two-thirds of the representatives present at that particular session.

Principle 66:

Matters dealing with the election of the speaker, the Presidium members of the National Assembly, the number of commissions, the term of their incumbency and other affairs relating to the hearings and disciplinary regulations of the assembly will be determined by the internal regulations of the assembly.

Principle 67:

At the first session of the assembly the representatives will take the following oath, and then sign the text of the pledge, as follows:

"In the name of God, the compassionate, the merciful.

In the presence of the holy Koran, I do swear in the name of God the almighty, and based on my humane honor, I do pledge to be the guardian of the inviolability of Islam, of the gains of the Islamic Republic; to safeguard the trust given me by the nation as an honest and trustworthy person; to observe honesty and piety while performing my duties as a representative; to be always bound to the independence and elevation of the country, preservation of the rights of the people, and to render my services to the people of the country; to defend the Constitution, and to have in mind the independence of the country, the freedom of the people, and the interests of the people in all statements made by me, as well as in all writings and expression of opinions."

The representatives of the religious minorities will take the oath by mentioning the name of their holy book. The representatives not present at the first session will take the oath at the first session they attend afterwards.

Principle 68:

During a war, and if the country is occupied militarily, at the proposal of the president, by the approval of three-fourths of the representatives, and by the endorsement of the Council of Guardians, the elections of the occupied areas or all of the country will be stopped for a certain period of time, and should a delay be caused in convening a new assembly, the former assembly will continue its operation.

Principle 69:

The National Consultative Assembly will hold open sessions, its discussions will be made public by radio broadcasts, and the minutes will be published in the official newspaper. In conditions of an exceptional nature, should the observance of the security of the country necessitate, at the request of the prime minister, one of the ministers, or 10 representatives, the assembly will convene behind closed doors. The issues approved at such a session will be considered valid when ratified by three-fourths of the representatives, in the presence of the members of the Council of Guardians. The reports containing the minutes of those sessions should be made public through the press after the elimination of the exceptional circumstances.

Principle 70:

The president, the prime minister, and the ministers will be authorized to attend the sessions of the National Consultative Assembly together or individually. They may also have their aides and advisers accompany them. If deemed necessary by the representatives, the president, the prime minister and the ministers are bound to be present at the assembly and may request permission to make statements and give explanations. The invitation extended to the president to be present at the assembly should be approved by a majority of the representatives.

Part 2:

Powers and Authority of National Consultative Assembly

Principle 71:

The National Consultative Assembly is authorized to enact laws concerning all issues of a general nature, within the limits set down in the Constitution.

Principle 72:

The National Consultative Assembly is not authorized to enact laws contradicting the principles and commandments of the official religion of the country, or the Constitution. The determination of this (as mentioned in Principle 96) is entrusted to the council of guardians.

Principle 73:

The interpretation of the ordinary laws is a duty of the National Consultative Assembly. This does not mean that judges are deprived of the right to interpret laws while making efforts to establish justice.

Principle 74:

Bills are submitted to the National Consultative Assembly after being approved by the Council of Ministers. Resolutions could be brought up for discussion at the National Consultative Assembly by the proposal of at least 15 representatives.

Principle 75:

Resolutions, proposals and amendments presented by the representatives in connection with bills that would result in the reduction of public income or increase of general expenses, can be brought up for discussion at the National Consultative Assembly provided they contain ways and means to remedy the income reduction or secure funds for new expenses.

Principle 76:

The National Consultative Assembly is authorized to conduct investigations and verifications in connection with all the affairs of the country.

Principle 77:

Pacts, contracts, accords and international agreements should be approved by the National Consultative Assembly.

Principle 78:

Any changes in the borders and frontiers is prohibited, with the exception of minor adjustments based on the interests of the country which are made on the condition that they are not of a unilateral nature or detrimental to the independence and territorial integrity of the country. They must be approved by four-fifths of the representatives in the National Consultative Assembly.

Principle 79:

Imposition of martial law is prohibited. In time of war and under circumstances that necessitate such restrictions, the government will be authorized to establish temporary restrictions with the approval of the National Consultative Assembly. In no case could their duration exceed 30 days. Should the circumstances requiring the restrictions continue to exist, the government will be bound to obtain a new authorization from the assembly.

Principle 80:

The receiving and granting of loans or aids, domestic and foreign, by the government, should be done with the approval of the National Consultative Assembly.

Principle 81:

Granting concessions to foreigners for establishing corporations and firms dealing with commercial, industrial, agricultural, mineral affairs and services, is absolutely prohibited.

Principle 82:

The employment of foreign specialists by the government is prohibited, unless deemed necessary, in which case it may be done with the approval of the National Consultative Assembly.

Principle 83:

Buildings and government properties considered to be precious national possessions, are not transferable to others. This can only be done with the approval of the National Consultative Assembly, on the condition that a property is not considered valuable.

Principle 84:

Every representative is accountable to the entire nation, and is authorized to express his views in connection with all domestic and foreign issues.

Principle 85:

Membership in the assembly is a possession of the person in question and cannot be transferred to some other person. The assembly cannot authorize a person or board to make laws. In case of necessity it can empower its commissions, in accordance with Principle 72, to enact certain laws. In such cases those laws will be implemented on a tentative basis during a period of time determined by the assembly, and it will be up to the assembly to examine them for a final approval.

Principle 86:

While performing their duties as deputies, the representatives of the assembly will be completely free in expressing their views or voting moves, and they will not be liable to prosecution or arrest because of the views expressed at the assembly or the votes cast while performing their duties as representatives.

Principle 87:

The Council of Ministers, after its formation and introduction to the assembly, and prior to any move or action, should obtain a vote of confidence from the assembly. Likewise, when it faces difficult and controversial issues during its incumbency it can request the assembly to express its view in the form of a vote of confidence.

Principle 88:

Whenever a representative asks a question relating to the duties of a minister, the minister is bound to be present at the assembly and answer the question. The reply should be given in a period not exceeding 10 days, unless there is a plausible reason for delay, to be determined by the assembly.

Principle 89:

Representatives of the assembly can in cases deemed necessary interpellate the Council of Ministers of each minister. Interpellation can be proposed in the assembly if it has the signatures of ten of the representatives.

The Council of Ministers, with the interpellated minister, must be present in the assembly ten days after the date that the interpellation was proposed, in order to answer it. They are required to demand a vote of confidence from the assembly. If the Council of Ministers or the minister in question is not present to reply to the interpellation, then the representatives who have proposed it will explain it. If the assembly finds it appropriate to do so, it will announce the lack of a vote of confidence.

If the assembly does not arrive at a vote of confidence, then the Council of Ministers or the minister will be dismissed. In both cases, the interpellated prime minister or minister cannot be a member of the Council of Ministers that would be formed immediately after that.

Principle 90:

Anyone who has a complaint about the modus operandi of the assembly, the executive or the judiciary force can, in writing, give his complaint to the assembly. The assembly is responsible for investigating these complaints and arriving at a satisfactory response. If the complaint is related to the executive or judiciary force, the assembly is responsible for demanding an investigation and getting a satisfactory answer from these forces, and then announcing the results in due time. In cases where the complaint is related to the public, the result should be announced to the public.

Principle 91:

For the purpose of guarding the precepts of Islam and the constitution and in order to avoid any contradiction between them and the laws of the assembly, a Council of Guardians will be formed with the following members:

1. Six just and religious persons who are knowledgeable of the requirements of the times and the daily problems. The selection of this group is in the hands of the leader or the Leadership Council.
2. Six lawyers in different branches of law. From among the Muslim lawyers, those who have been introduced to the National Consultative Assembly by the High Council of the Judiciary, will be voted on by the Assembly.

Principle 92:

The members of the Council of Guardians are elected for a 6-year term. But after 3 years, half of the members shall be changed and new members will be elected in their place by means of a lottery.

Principle 93:

The National Consultative Assembly has no legal validity without the presence of the Council of Guardians, unless the credentials of the representatives have been approved [by the Council of Guardians] and six lawyers from among the members of the Council of Guardians have been elected [to the National Consultative Assembly].

Principle 94:

All the sanctioned laws and regulations of the National Consultative Assembly must be sent to the Council of Guardians. The Council of Guardians is responsible, within ten days of the receipt of them, to investigate them so that they will conform with the Islamic standards and the constitutional laws. And if they find any contradiction, they will be returned to the assembly for revision. Otherwise, the laws are ratified.

Principle 95:

If the Council of Guardians decides that 10 days is not enough for investigation and expressing of opinion, then stating a given reason, it will request a 10-day extension.

Principle 96:

The majority of the six religious members of the Council of Guardians decides whether a national assembly law is in contradiction with Islamic decrees. And the majority of all the members of the Council of Guardians decides whether a constitutional law is in contradiction with the Islamic decrees.

Principle 97:

To expedite the work, members of the Council of Guardians can attend the assembly and listen while a bill or a legal project is being discussed. When an urgent project or bill is put before the assembly, they must attend that session and express their opinions.

Principle 98:

The Council of Guardians is responsible for interpreting the constitutional law. This interpretation can be given after three-fourths of the members have approved it.

Principle 99:

The Council of Guardians is responsible for supervising the presidential election, the elections of the National Consultative Assembly and the referendum.

Chapter VII

Councils

Principle 100:

In order to further social, economic, development, public health, cultural, and educational programs as well as other welfare matters through popular cooperation and in keeping with local circumstances for administering these affairs, every rural area, district, township, or province will elect from its citizens members for councils for the village, district, township, and province.

The qualification of the electors and those who are elected, the limits of their duties, and privileges, the manner of their election, and the supervision of the said councils and their associated offices should be according to the principles of national unity, territorial integrity, rule of the Islamic Republic, and sovereignty of the central government as determined by law.

Principle 101:

To prevent discrimination and to gain cooperation in planning development and welfare programs for the provinces and to supervise their coordination, a Supreme Council of the Provinces will be organized composed of representatives of each province.

The organization and duties of this council will be determined by law.

Principle 102:

The Supreme Council of the Provinces has the right to make plans within the limits of its duties and submit proposals to the National Consultative Assembly, either directly or through the government. These plans will then be studied by the assembly.

Principle 103:

The governors, commanders, district chiefs, and other authorities that are appointed by the government are obligated to obey the councils' decisions as long as they fall within the limits of the councils' powers.

Principle 104:

In order to guarantee Islam a role and insure cooperation in preparing programs, and to coordinate progress in the activities of production units--both industrial and agricultural--councils composed of representatives of workers, villagers, and other employees and managers will be organized to operate in educational, administrative, and service units. These councils will thus be comprised of representatives of the members of these units.

The manner of organizing these councils and the limits of their duties and privileges will be determined by law.

Principle 105:

The decisions of the councils should not violate the standards of Islam or the laws of the country.

Principle 106:

The councils may not be dissolved unless they deviate from their legal duties. The process for determining such deviation, the manner in which the councils are dissolved, and the method by which they are reconstituted will be determined by law.

If opposition to dissolution of a council is justified, a complaint will be submitted to the competent court, and the court will be obligated to investigate it outside the docket sequence.

Chapter VIII

The Leader or The Leadership Council

Principle 107:

Whenever one of the jurists who fulfills the conditions mentioned in Principle 5 of the law is recognized by a decisive majority of the people for leadership and has been accepted--as is the case with the Great Ayatollah Imam Khomeyni's high calling to the leadership of the revolution--then this leader will have charge of governing and all the responsibilities arising from it. Otherwise, experts elected by the people from all those qualified for leadership will be investigated and evaluated. Whenever a candidate who has outstanding characteristics for leadership is found, he will be introduced to the people as leader. Otherwise, 3 or 5 candidates who fill the conditions for leadership will be appointed members of the Leadership Council and introduced to the people.

Principle 108:

The law regarding the number and qualifications of experts, the manner of their election, the internal regulation of their sessions and the fixing of their terms has to be prepared by the primary jurists of the Council of Guardians and approved by the majority of their votes before the final approval of the revolutionary leader. Thereafter, any kind of change and revision of this law is within the competence of the Council of Experts.

Principle 109:

The qualifications and attributes of the leader or members of the Leadership Council:

1. The necessary competence in theology and piety to deliver formal legal opinions and authority.
2. Enough political and social insight, boldness, strength, and managerial ability to lead.

Principle 110:

Duties and powers of leadership:

1. Appointing the jurists on the Council of Guardians;
2. Appointing the highest judicial authorities of the country;
3. Command of all the armed forces as follows:
 - A. Appointing and dismissing the chief of the general staff;
 - B. Appointing and dismissing the commander-in-chief of the Islamic Revolution Guards Corps;

- C. Organizing the High Council for National Defense which will be composed of the following seven members:

--president of the republic

--prime minister

--minister of defense

--chief of the general staff

--the commander-in-chief of the Islamic Revolution Guards Corps

--two advisers specified by the leader

- D. Naming the commanders-in-chief of the three armed forces at the suggestion of the High Council for National Defense;

- E. Declaring war and mobilizing the armed forces at the suggestion of the High Council for National Defense.

4. Signing the order [formalizing] the election of the president after he has been elected by the people. Approving the competence of candidates for the presidency with regard to the qualifications specified in this law. Confirming them before the Council of Guardians before the elections and confirming the president's first term.

5. Dismissing the president of the republic in consideration of the good of the country after an order is issued by the Supreme Court charging him with violating his legal duties toward the National Consultative Assembly and relieving him of his political competence.

6. Pardoning or reducing the sentences of convicts within the limits of Islamic standards, pursuant to the suggestions of the Supreme Court.

Principle 111:

Whenever the leader or one of the members of the Leadership Council becomes incapable of performing his legal duties of leadership or loses one of the qualifications mentioned in Principle 109, he will be removed from his position. This action is within the purview of the experts mentioned in Principle 108.

Regulations for calling a meeting of the experts to investigate cases arising from this principle will be formulated in the first session of the experts.

Principle 112.

The leader or members of the Leadership Council are equal before the laws with all other citizens of the country.

Chapter IX

Executive Power

Part 1: The Presidency

Principle 113:

~~The president is the holder of the highest official power next to the office of leader.~~ He is responsible for carrying out constitutional laws and for organizing the relationships among the three powers. He will also be the chairman for the executive power except for those affairs that are directly related to the leader.

Principle 114:

The president is elected for a 4-year term by the direct vote of the people. He can be reelected for only one additional term.

Principle 115:

The president must be elected from among men of political and religious distinction. He must: be of Iranian origin; be an Iranian citizen; be an administrator and efficient; be loyal, with a good past history; be pious; be a believer in the foundation of the Islamic Republic of Iran and in the official religion of the country.

Principle 116:

Candidates for the presidency must officially announce their candidacy before the beginning of the election. The way in which the election will be carried out to elect a president will be determined by law.

Principle 117:

The president will be elected by an absolute majority of the votes, but if in the first round none of the candidates obtains such a majority of votes, a second election will be held on the following Friday. Only the two candidates who had the most votes can run for the second election. However, if these candidates decide not to run, the two candidates who had the next largest number of votes in the first round will be introduced for this second round of elections.

Principle 118:

According to Principle 99, the Council of Guardians will be responsible for supervising the election of the president. But prior to the initial creation of the Council of Guardians, the responsibility lies with the board of control which specifies the law.

Principle 119:

The election of the new president must be carried out at least one month prior to the termination of the term of the incumbent president. In the interim period between the election of the new president and the conclusion of the term of the incumbent, the incumbent will carry out the duties of the presidential office.

Principle 120:

If one of the eligible candidates dies in the 10 days prior to the election, the elections will be delayed for 2 weeks. If between the first and the second round of the election, one of the two candidates with the most votes dies, the election time will be extended for 2 more weeks.

Principle 121:

At the National Consultative Assembly, in the presence of the head of the Supreme Court and the members of the Council of Guardians, the president will take the following oath and sign it: "In the name of God the compassionate, the merciful.

I, the president, swear on the Koran and before the people of Iran that I will be the guardian of the official religion, of the order of the Islamic Republic and of the constitutional laws. I shall use all my talents and competence to perform the duties I have undertaken. I will dedicate myself to the elevation of the country, propagation of religion and character, and support of the spread of right and justice. I shall avoid any kind of self-interest, protect freedom, respect the people and respect the rights that the constitution has recognized for the people. I will not hold back from any step that will protect the boundaries and the political, economic, and cultural independence of the country. With the help of God and obedience to the prophet, as a devout and trustworthy guardian, I will guard the power entrusted to me by the people and I shall entrust that power to the men elected after me by the people."

Principle 122:

The president is responsible before the people for the limits of his authorities and duties. The manner of investigation for such an infringement is determined by law.

Principle 123:

When a law of the assembly has been made or a referendum has been completed through legal procedures and has been presented to the president, he is responsible for signing it and handing it over to responsible authorities for execution.

Principle 124:

The president will nominate a person as prime minister and after obtaining a vote of endorsement from the National Consultative Assembly, he will issue the oath of office to the prime minister.

Principle 125:

After the approval of the National Consultative Assembly, the signing of treaties, conventions, written agreements and contracts between the Government of Iran and all other governments and the signing of agreements related to international unions [as published] is the responsibility of the president or his legal representative.

Principle 126:

After laws and decrees have been approved by the Council of Ministers, the president will be informed of them. If he finds them illegal, he will send them back to the Council of Ministers for revision, only after having mentioned his reasons.

Principle 127:

Whenever the president finds it necessary, the Council of Ministers will meet in his presence and under his leadership.

Principle 128:

The president will sign the accreditation of ambassadors and will receive letters of accreditation from the ambassadors of other nations.

Principle 129:

Bestowal of national medals is the responsibility of the president.

Principle 130:

In the case of absence or sickness of the president, a council with the name of Temporary Council of the Presidency will be formed. This council will consist of the prime minister, the head of the national assembly and the head of the Supreme Court, and it will carry out the duties of the president; this is on condition that the absence of the president will be no longer than 2 months.

Also, in case of dismissal, or when the term of office of the previous president has been completed and due to certain obstacles the new president has not been elected, this council will be responsible for carrying out the duties of the president.

Principle 131:

In case of death, resignation, or sickness that lasts more than 2 months, the dismissal of the president or any other such crisis, the Temporary Council of the Presidency is responsible for making arrangements so that a new president may be elected within the next 50 days. Within this period, the temporary council is responsible for all duties and authorities of the president, except in the matter of referendums.

Principle 132:

While the duties of the president are being performed by the temporary council, the government cannot be interpellated, nor can it receive a vote of nonconfidence, nor can any steps be taken for the revision of the constitutional laws.

Part 2: Prime Minister and Ministers

Principle 133:

The ministers will be appointed according to the suggestion of the prime minister and with the approval of the president. They shall then be introduced to the parliament for a vote of confidence. The number of ministers and their authorities shall be determined by law.

Principle 134:

The prime minister shall head the Council of Ministers and he will supervise the work of the ministers, and taking the necessary advice, he will coordinate government decisions. With the cooperation of the ministers, he will select government policies and execute the laws. The prime minister is responsible to the assembly for the actions of the Council of Ministers.

Principle 135:

The prime minister stays in office as long as he has a vote of confidence from the assembly. The letter of resignation of the government should be handed to the president. The prime minister will continue with his duties until the appointment of the next government.

Principle 136:

Dismissal and appointment of a new minister by the prime minister has to be approved by the president. A vote of confidence on the new minister has to be obtained from the parliament. If half of the members of the Council of Ministers (cabinet) are changed after receiving a vote of confidence from the parliament, the government must ask again for a vote of confidence from the parliament.

Principle 137:

Each minister is responsible to the assembly for his own special duties, but in affairs that have been approved by the Council of Ministers, he will be held responsible for the action of others.

Principle 138:

In addition to being responsible for the compilation of laws for various cases, the Council of Ministers, or a single minister, also has the right to compile laws in regard to administrative duties, safeguarding the execution of the laws and regulating administrative organizations. Each of the ministers, within the limits of his duties, and with the sanction of the Council of Ministers, has the right to formulate regulations and issue circulars, but the content of these regulations must not be in disagreement with the content and the spirit of the laws.

Principle 139:

Resolving of litigation related to public and government possessions, or its referral to a judge, in each case is subject to the approval of the Council of Ministers, and the assembly must be informed of it. When the claimant is a foreigner, or in important internal matters, the case must be approved by the assembly. The importance of the case is determined by law.

Principle 140:

Accusations related to ordinary crimes made by the president, the prime minister or the ministers will be investigated in the public courts of the Ministry of Justice.

Principle 141:

The president, prime minister, ministers and government employees are not allowed to hold more than one government job. They are also forbidden to have any other job in organizations all or some of whose capital belongs to the government and public institutions, nor are they allowed to be a representative of the national assembly, an attorney with the Ministry of Justice, a legal advisor, head, managing director or member of the board of directors in various private organizations, except for cooperative associations and organizations of the administration (government). Teaching positions at universities and research institutes are excepted from these restrictions.

The prime minister may, when necessary, undertake the duties of certain ministries on a temporary basis.



Principle 142:

The Supreme Court will investigate the wealth of the leader, members of the Leadership Council, president, prime minister, the ministers, and their wives and children before and after holding office, lest their wealth has increased contrary to the law.

Part 3: The Army and Revolution Guard

Principle 143:

The Army of the Islamic Republic is responsible for safeguarding independence and territorial integrity and keeping order in the Islamic Republic.

Principle 144:

The Islamic Republican Army must be an Islamic army. It must be a popular and religiously educated army and it must accept worthy people who will be faithful to the goals of the Islamic Revolution and will be self-sacrificing in the attainment of those goals.

Principle 145:

No foreign person will be accepted for membership in the army or regular forces.

Principle 146:

Establishment of any kind of foreign military bases in the country is forbidden, even though those bases are to be used for peaceful purposes.

Principle 147:

The government in time of peace must utilize the personnel and technical equipment of the military for relief operations, educational and productive purposes and in a crusade for reconstruction.

This should be done with total observance of religious justice and only to the extent that it does not harm the combat readiness of the military.

Principle 148:

Personal use of military equipment and use of military personnel as servants, chauffeurs and for other such tasks is prohibited.

Principle 149:

Promotion and demotion in military ranks is done according to the law.

Principle 150:

The Islamic Revolution Guard Corps that was formed in the first days of the victory of this revolution will remain active in order to continue its role as the guardian of the revolution and its offshoots. The limit of this force's duty and the scope of its authority in relation to the duties and scope of authority of other armed forces will be determined by law, with emphasis on cooperation and brotherly harmony.

Principle 151:

According to a noble verse of the Koran, "Make ready for them all thou canst of (armed) force and of horses tethered, and thereby ye may dismay the enemy of God and your enemy, and others beside them whom ye know not. God knoweth them."

The government is responsible for providing military training programs and facilities for all the people of the country, in accordance with the laws of Islam, so that all the people will always have the capability to defend the country and the order of the Islamic Republic of Iran with arms. Possession of arms must be with the permission of competent authorities.

Chapter X

Foreign Policy

Principle 152:

The foreign policy of the Islamic Republic of Iran is founded on the basis of ending any type of domination, safeguarding the complete independence and integrity of the territory, defending the rights of all Muslims, practicing nonalignment with respect to the dominating powers and maintaining mutual peaceful relationships with nonbelligerent nations.

Principle 153:

Any type of agreement that allows a foreign power to dominate the natural resources, or the economic, cultural, military and other affairs of the country is forbidden.

Principle 154:

The Islamic Republic of Iran considers its goal to be the happiness of human beings in all human societies.

It recognizes the independence, freedom and rule of right and justice for all people of the world. Therefore, while practicing complete self-restraint from any kind of influence in the internal affairs of other nations, it will protect the struggles of the weak against the arrogant, in any part of the world.

Principle 155:

The Islamic Republic of Iran can give political asylum to those who seek it unless they have been recognized as traitors according to the laws of Iran.

Chapter XI

Judiciary Force

Principle 156:

The judiciary is an independent force that supports individual and social rights and is responsible for bringing about justice. It is also responsible for carrying out the following duties:

1. Investigating and passing judgment on cases of injustice, transgressions and complaints; resolving lawsuits and settling conflicts; and making decisions and taking necessary steps in those probate matters that are regulated by the law.
2. Restoring public rights and expanding justice and legal freedoms.
3. Supervising the enforcement of laws.
4. Discovering crime; prosecuting, punishing and reproofing the criminal, and bearing the responsibility for carrying out the prescriptions and regulations of the Islamic penal code.
5. Taking appropriate steps to prevent crime and reform criminals.

Principle 157:

A council named "The High Council of the Judiciary," will be formed to carry out the responsibilities of the judiciary. This council is considered to be the highest judicial office and its duties are as follows:

1. Forming necessary organizations in the Ministry of Justice to deal with the responsibilities contained in Principle 156.
2. Preparing bills having to do with the judiciary that are suitable for an Islamic Republic.
3. In accordance with the law, exercising the responsibility of hiring just and worthy judges, appointing and dismissing them, changing the location of their tours of duty, assigning them jobs and other such administrative affairs.

Principle 158:

The High Council of the Judiciary consists of five members:

1. Head of the Supreme Court of Justice, *Ardebili*
2. *Rev. Prosecutor*
Attorney General. *now Sarai*
3. *Majlesi & Mansour Qani, Javadi Anali*
Three religious and just judges, chosen by the judges of the country.

According to the law, the members of this council are elected for 5 years and can be reelected. The qualifications for the electors and the elected will be determined by law.

Principle 159:

The Ministry of Justice is the official place to which complaints of injustice will be referred. The formation of courts and the determination of their competency are subject to the rule of law.

Principle 160:

The minister of justice has the responsibility for all the problems related to the relationship between the judiciary and the executive and legislative forces. He is selected from candidates that the High Council of the Judiciary has suggested to the prime minister.

Principle 161:

The Supreme Court of the country is formed on the basis of laws that are determined by the High Council of the Judiciary. It is responsible for supervising the correct enforcement of laws in the courts of the land, for creating unity in judicial policy, and for carrying out, according to the law, the responsibilities that have been given to it.

Principle 162:

The head of the Supreme Court and the attorney general must be just, religious jurists [mujtahid] and must have knowledge of judicial matters. The leadership, in consultation with the Supreme Court judges, will appoint them to those offices for a period of 5 years.

Principle 163:

Qualifications of the judge will be determined by law according to the standards of religious jurisprudence.

Principle 163:

Qualifications of the judge will be determined by law according to the standards of religious jurisprudence.

Principle 164:

A judge cannot be, temporarily or permanently, dismissed from the office that he is holding without a trial and proof of crime and violations that are considered as grounds for dismissal. Nor can his place of duty or his job be changed unless it is in the interest of society and is carried out with the unanimous approval of the members of the High Council of the Judiciary. Periodic transfers of the judges will occur according to rules determined by law.

Principle 165:

Trials will be held openly and the public is allowed to attend unless the court decides that an open trial is incompatible with public sense of chastity and order or both adversaries request that the trial not be held openly.

Principle 166:

The decrees of the courts must be supported by the articles of law and they must be methodical.

Principle 167:

The judge is responsible for trying to find the statute for each dispute in the codified laws, and if he does not find it, relying on reputable Islamic sources or judicial decrees, he must pass judgment on the matter. He cannot, by using the excuse of silence, deficiency, abridgment or contradiction of the codified laws, avoid investigation and passing of a judgment.

Principle 168:

Investigations of political and press crimes are to be held in the courts of the Ministry of Justice, openly in the presence of a jury. Defining the political crime, the manner in which the jury will be selected, their authority and qualifications will be determined according to Islamic standards.

Principle 169:

If a law is enacted after an action or lack of action has occurred, then that action or lack of action cannot be considered as a crime.

Principle 170:

The judges of the court are **dutybound** to **refrain** from executing governmental decisions that are contrary to Islamic laws and regulations and that are outside the limits of the executive power.

Principle 171:

If an individual receives any material and spiritual damage due to the fault or mistake of the judge, in the subject matter, in the passing of the judgment, or in the verification of the judgment, then the guilty party, when shown his guilt, will be responsible for those damages. Otherwise, compensation for the damage will be provided by the government and, in either case, the loss of honor of the accused will be reinstated.

Principle 172:

For investigation of crimes related to special military or disciplinary duties, committed by members of the army, gendarmery, police force or Islamic Revolution Guard, a military tribunal will be formed in accordance with the law. But if these individuals commit common crimes or crimes that are dealt with by the Ministry of Justice, then their crimes shall be investigated in public courts. The Provost Martial and military courts are part of the public judiciary and come under its principles.

Principle 173:

With a view to attending to the complaints, criticisms and objections of the people concerning state officials, units, regulations and the administration of their rights, a court named the Court of Administrative Justice has been created under the supervision of the High Judicial Council. The law defines the limits of the jurisdiction and authority of this court.

Principle 174:

On the basis of the right of supervising the judicial power, with regard to proper conduct of affairs and correct legal procedure in the administrative systems, an organization called the General National Investigative Organization has been created under the supervision of the High Judicial Council. The law defines the jurisdiction and functions of this organization.

Chapter XII

Mass Media

Principle 175:

In the mass media (radio and television), freedom of dissemination and information according to Islamic principles should be assured. These media will be supervised by a joint judicial (the Higher Judicial Council), legislative and executive body. The law defines the plan of this supervision.

The Constitution of the Islamic Republic of Iran was formulated in 12 chapters, comprising 175 principles. The final review of the Constitution was approved by at least two-thirds of the total membership of the assembly on the 24th day of the month of Aban of the year 1358 of the solar Hijri calendar, corresponding to the 24th day of the month of Dhu-al-Hijjah of the year 1399 of the lunar Hijri year.

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